

**U.S. District Court
District of Wyoming (Cheyenne)
CIVIL DOCKET FOR CASE #: 2:19-cv-00164-SWS**

Whittecarr v. United States Department of Veterans Affairs et al
Assigned to: Honorable Scott W Skavdahl
Referred to: Honorable Kelly H Rankin
Cause: 05:552 Freedom of Information Act

Date Filed: 08/08/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Howard R Whittecar

represented by **Albert Kenneth Walsh**
PENCE & MACMILLEN LLC
501 East Garfield Street
PO Box 1285
Laramie, WY 82070
307/745-3626
Fax: 307/745-8669
Email: awalsh@penceandmac.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

M Gregory Weisz
PENCE & MACMILLAN LLC
1720 Carey Avenue, Suite 600
PO Box 765
Cheyenne, WY 82003
307/638-0386
Fax: 307/634-0336
Email: gweisz@penceandmac.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Veterans Affairs

represented by **C Levi Martin**
UNITED STATES ATTORNEYS
OFFICE
PO Box 668
Cheyenne, WY 82003-0668
307/772-2124
Fax: 307/772-2123
Email: Christopher.Martin@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

United States Department of Veterans Affairs Secretary
in his official capacity
also known as
Robert Wilkie

represented by **C Levi Martin**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

United States Department of Veterans Affairs General Counsel
in his official capacity
also known as
James Byrne

represented by **C Levi Martin**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/08/2019	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief filed by Howard R Whittecar (4 summonses issued; Filing fee \$400, receipt #CHY031412) (Attachments: # <u>1</u> Civil Cover Sheet) (Court Staff, sbh) (Entered: 08/08/2019)
08/15/2019	<u>2</u>	NOTICE of Attorney Appearance by Albert Kenneth Walsh on behalf of Howard R Whittecar (Walsh, Albert) (Entered: 08/15/2019)
08/15/2019	<u>3</u>	First SUMMONS Returned Executed by Howard R Whittecar. United States Department of Veterans Affairs served on 8/12/2019, answer due on 09/11/2019. Served through the Mark A. Klaassen/U.S. Attorney's Office for District of Wyoming. (Walsh, Albert) Modified answer date on 8/15/2019 (Court Staff, sjlg). (Entered: 08/15/2019)
08/15/2019		Set/Reset Deadlines/Hearings: United States Department of Veterans Affairs answer due 9/11/2019 (Court Staff, sjlg) (Entered: 08/15/2019)
08/15/2019	<u>4</u>	NOTICE of complexity by Plaintiff Howard R Whittecar ; this case is non-complex. (Walsh, Albert) (Entered: 08/15/2019)
09/09/2019	<u>5</u>	NOTICE of Attorney Appearance by C Levi Martin on behalf of United States Department of Veterans Affairs, United States Department of Veterans Affairs General Counsel, United States Department of Veterans Affairs Secretary (Martin, C) (Entered: 09/09/2019)
09/09/2019	<u>6</u>	MOTION REFERRED TO Judge Kelly H Rankin. MOTION for Extension of Time (Non-Dispositive) requesting extension of Time to Respond to the Complaint filed by Defendants United States Department of Veterans Affairs, United States Department of Veterans Affairs General Counsel, United States Department of Veterans Affairs Secretary. (Attachments: # <u>1</u> Proposed Order)(Martin, C) (Entered: 09/09/2019)
09/10/2019	<u>7</u>	ORDER by the Honorable Kelly H Rankin granting <u>6</u> Motion for Extension of Time (Court Staff, sem) (Entered: 09/10/2019)
09/25/2019	<u>8</u>	MOTION to Dismiss for Lack of Jurisdiction, filed by Defendants United States Department of Veterans Affairs, United States Department of Veterans Affairs General Counsel, United States Department of Veterans Affairs Secretary. (Attachments: # <u>1</u> Exhibit)(Martin, C) (Entered: 09/25/2019)
09/25/2019	<u>9</u>	MEMORANDUM in Support of <u>8</u> Motion to Dismiss/Lack of Jurisdiction, filed by Defendants United States Department of Veterans Affairs, United States Department of Veterans Affairs General Counsel, United States Department of Veterans Affairs Secretary. (Martin, C) (Entered: 09/25/2019)
10/09/2019	<u>10</u>	First MOTION for Extension of Time (Dispositive) requesting extension of Deadline to Respond to Motion to Dismiss filed by Plaintiff Howard R Whittecar. (Attachments: # <u>1</u> Proposed Order Granting Unopposed Motion for Extension)(Walsh, Albert) (Entered: 10/09/2019)
10/09/2019	<u>11</u>	(TEXT-ONLY) ORDER by the Honorable Scott W Skavdahl granting <u>10</u> Motion for Extension of Time. Plaintiff shall have until November 8, 2019 to respond to Defendants' Motion to Dismiss.(Court Staff, skh) (Entered: 10/09/2019)